



## Early Journal Content on JSTOR, Free to Anyone in the World

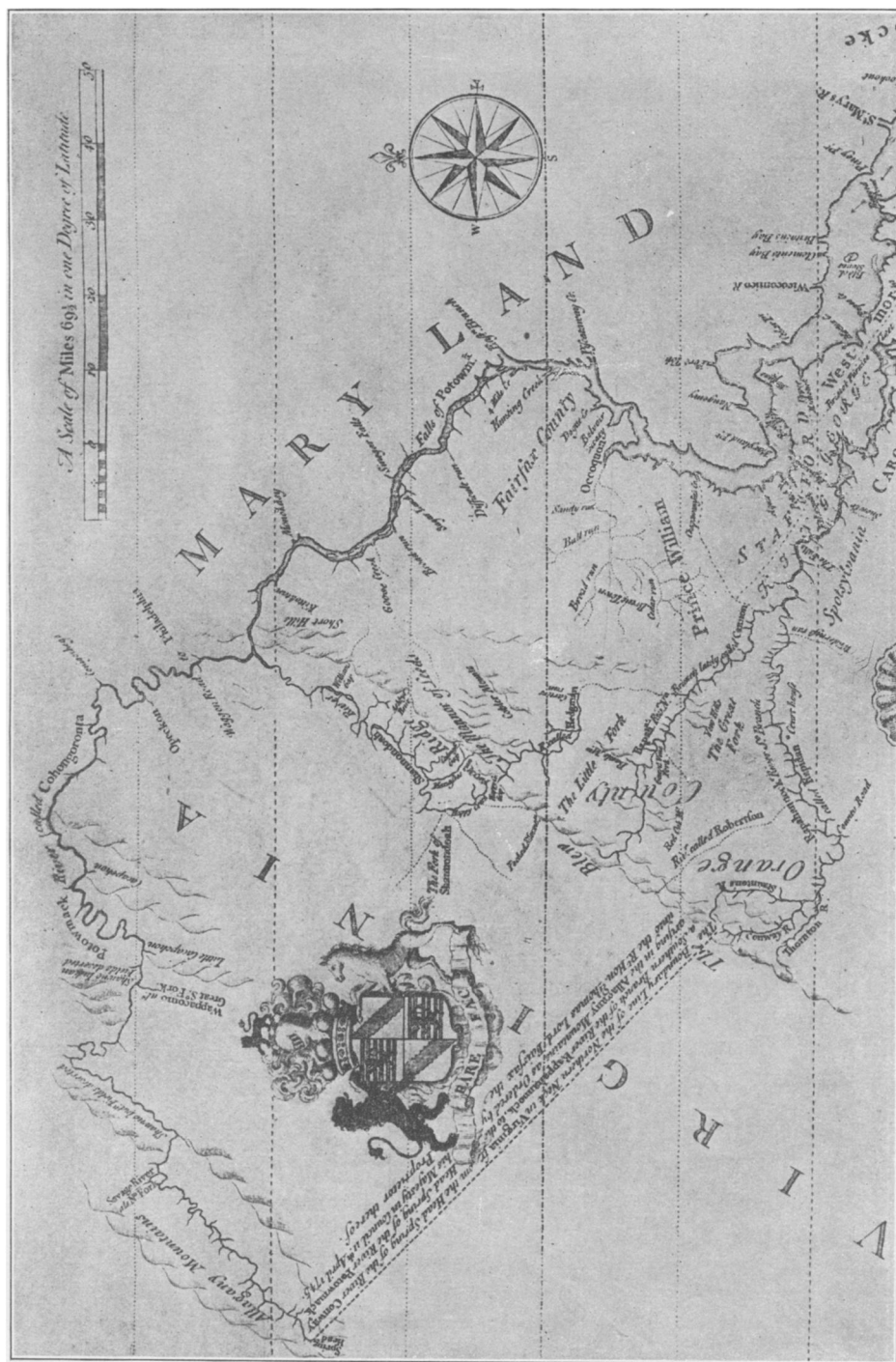
This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).



THE NORTHERN NECK OF VIRGINIA  
WESTERN PORTION AS SURVEYED 1736-37

THE  
VIRGINIA MAGAZINE  
OF  
HISTORY AND BIOGRAPHY

---

---

VOL. XXVIII

OCTOBER, 1920

No. 4

---

---

DOCUMENTS RELATING TO THE BOUNDARIES  
OF THE NORTHERN NECK

---

From the Originals in the British Public Record Office.

Contributed by Charles E. Kemper.

---

[By a series of grants from the Crown beginning in 1650, by Charles II, then in exile, the Northern Neck, that is, the country between the Rappahannock and Potomac to their headwaters, was granted to various individuals. Finally the titles all became vested in Thomas, Lord Culpeper, and to him, on Sept. 27, 1688, James II, made a new grant for all the country "bounded by and within the heads of the Rivers Tappahannock alias Rappahannock and Queenough or Potomac River". This great property descended to Culpeper's daughter and heiress, who married Lord Fairfax, and, in 1722, to her son Thomas, Lord Fairfax, who afterwards removed to Virginia.

Long controversies were carried on between the proprietors of the Northern Neck and the Government of the Colony of Virginia representing the Crown, as to the true "heads" of the two rivers. As it flowed through country more accessible to settlement from the East, the question of the Rappahannock

seemed at the time to be the most important. There was a long contest as to whether the South branch (the Rapidan) or the North branch of the Rappahannock was the true head. The matter was finally left to a joint commission representing the Crown and Lord Fairfax.

After careful surveying and the taking of much evidence, the Commission made a report in 1736. This report was taken to England and a final decision given in favor of Fairfax. In the matter of the Rappahannock it was decided that the true "head" was the Conway River, a branch of the Rapidan.

Under the construction finally given to the Culpeper-Fairfax grant it included the present counties of Northumberland, Lancaster, Richmond, Westmoreland, Stafford, King George, Prince William, Fairfax, Loudoun, Fauquier, Culpeper, Madison, Page, Shenandoah and Frederick in Virginia, and Jefferson, Berkeley, Hardy, Hampshire and Morgan in West Virginia. For additional information see this Magazine XV, 392-399 and authorities there cited.

The map<sup>1</sup> accompanying these documents is a reduced copy of the upper section of the map giving the boundaries as finally settled. We are indebted to Mr. Fairfax Harrison for a photographic fac-simile of the original in the Library of Harvard University. The lower section of the original map comprises the Northern Neck below the head of tidewater. To reproduce the whole here would make it so small as to be of little value.

<sup>1</sup> This map is listed as No. 169a in Swem's *Maps of Virginia* and is noticed in Phillip's *Virginia Cartography*, p. 46. It appears from Col. Byrd's papers relating to the settlement of the Northern Neck Boundaries (which are reproduced at length in Wynne's edition but not in Bassett's) that the Byrd commission and the Fairfax commission each made a separate map (Wynne II, 122, 132). The Byrd map was drawn by Wm. Mayo (Wynne II, 116, 122) and that seems to be Swem's No. 161. This Harvard map is undoubtedly the Fairfax map, in a second state, to show the line of the award of 1746. It is the same as Swem's No. 169 and, if so, where does Swem get his authority for attributing it to Peter Jefferson and Robert Brooke? A comparison of this map with Fry and Jefferson's map of 1751 shows that whoever drew the Harvard map knew much more of the local topography (of Fauquier e. g.) than did the authors of the Fry and Jefferson map of 1751, and it seems unlikely therefore, that Peter Jefferson ever had much to do with the Harvard map. (F. H.)

The documents published below were procured by Mr. Kemper from London as material for his study of the history of the western portion of Virginia. The readers of our Magazine have already been under a heavy debt of obligation to Mr. Kemper for his exceedingly valuable notes to the series of articles entitled "The Westward Movement in Virginia" (published in vols. XI and XII) and as collaborating with Dr. Hinke in editing the diaries of the Moravian missionaries who travelled through the western portion of the Colony, which was one of the most valuable contributions ever made to the Magazine.

We have other valuable papers from Mr. Kemper which will be published at an early date.]

LETTER FROM GOVERNOR GOOCH, 1729<sup>2</sup>.

My Lords

I have not had the honor of any Commands from your Lordships by any of the Ships come hither this year = my last Dispatch was by the Randolph of London in which were conveyed the Council Journals and other publick Transactions to that time, of which I herein inclose a Duplicate. With this your Lordships will receive the Journals of the Council from the first of Aprill to the 12<sup>th</sup> Instant, together with the Accompts of the Revenue of Quit Rents and two shillings per Hogshead ending in Aprill, and the Returns of the Naval Officers.

Sometime after my Last a number of Negroes, about fiftenn, belonging to a new Plantation on the head of James River formed a Design to withdraw from their Master and to fix themselves in the fastnesses of the neighbouring Mountains: They had found means to get into their possession some Arms & Ammunition, and they took along with them some provi-

<sup>2</sup> Besides the discussion of the boundaries of the Northern Neck, this long letter from Governor Gooch to the English authorities, contains a good many other matters of interest. Among them are: a negro plot, training of the militia, a notice of the neighboring Indians, a plague of caterpillars, the services of the chaplain (Mr. Fontaine) with the Virginia and North Carolina boundary commission, the Tobacco trade, and the freeing of a negro in return for his making public his secret cure for venereal disease.

sions, their Cloaths, bedding and working Tools; but the Gentleman to whom they belonged with a Party of Men made such a diligent pursuit after them, that he soon found them out in their new Settlement, a very obscure place among the Mountains, where they had already begun to clear the Ground, and obliged them after exchanging a shot or two by which one of the Slaves was wounded, to surrender and return back, and so prevented for this time a design which might have proved as dangerous to this Country, as is that of the Negroes in Jamaica to the Inhabitants of that Island, Tho' this attempt has happily been defeated, it ought nevertheless to awaken us into some effectual measures for preventing the like hereafter, it being certain that a very small number of Negroes once settled in those Parts, would very soon be encreas'd by the Accession of other Runaways and prove dangerous Neighbours to our Frontier Inhabitants. To prevent this and many other mischiefs I am training and exercising the Militia in the several Counties as the best means to deter our Slaves from endeavouring to make their Escape, and to suppress them if they should; and as the Establishment I made of an Adjutant to discipline the Militia is much to the satisfaction of the People, and like to prove very useful towards their safety and Defence, I doubt not your Lordships will approve of that part of my conduct, for, it is to this new Regulation of the Militia, and the good disposition of the Officers I have now appointed to instruct those under their Command in the exercise of Arms that we owe the present peace with our tributary Indians; who sometime before were become very turbulent and ungovernable, but are now so submissive, how long that temper will continue I can't say, that one of the great Men of the Saponie Nation having killed an Englishman, tho' the murder was committed when he was drunk, which they look upon as a just excuse, because, as they say, a Man is not accountable for what he did while he is deprived of his reason. Yet they readily delivered him up to justice upon my first message, and he has been since tryed and executed without any sign of resentment from that Nation altho' he was in much

esteem among them. I had ordered some of the Nation to be at the tryal, who did attend, and by an Interpreter were made to understand that the Proceedings in the Court against Him were the same as in the like case they would be against a White Man, and indeed so it hap'ned that there was one try'd and executed with Him.

The eagerness of the Inhabitants to take up Lands amongst the great Western Mountains, has renewed a Contest, which for a long time had layn dormant touching the Right of granting the Lands on the Head of Rappahanock River. the Proprietor of the Northern Neck claims the same by virtue of his Grant; and I find former Governours made no scruple to sign Patents for Lands as far as the most Northern Branch of Rappahanock River: But for my better direction therein, I have now before me a Letter from your Lordships dated March 26<sup>th</sup> 1707 the twelfth Paragraph of which I am governed by and intend now to answer, "in being very watchful that his Majesty's Lands be not invaded under any pretence of a Grant to any Proprietor". agreeable hereunto, I have absolutely refused the suspension of granting of Patents, notwithstanding the remonstrances of the Proprietor's Agent; but proposed that the Case should be fairly stated and determined according to the genuine Construction of the Proprietor's Charter, which 'tis agreed shall be prepared and transmitted to your Lordships for that purpose. In the meanwhile, to give your Lordships a clearer Idea of the Lands in controversy, I herewith send a sketch of that part of the Country which lies near and amongst the Mountains, watered by Streams which fal into the Rivers Rappahanock and Potomack, and which are insisted on to be within the Northern Neck Grant as head springs of those two Rivers, the Draught is not offered to your Lordships as accurately done: But by it your Lordships may please to observe, that the River Rappahanock, which from the Bay of Chesapeak is navigable to the Falls, is about tenn Miles above the Falls divided into two Branches, and those again about thirty Miles upwards divided into other Branches, and so the nearer they approach the Mountains into

other lesser Streams, so that it is scarce possible to distinguish which of them ought to bear the name of a River. Here it is that the Lands now in dispute ly: But as the last Grant made in 1688 to the Lord Culpeper, which is the most extensive, describes "the Territory to be bounded by and within the first Heads or Springs of the Rivers Rappahanock & Potomack, the courses of the said Rivers from the first said Heads or Springs as they are commonly called and known by the Inhabitants, and description of those Parts"—it seems a doubt whether the Proprietor can claim any farther upon these Rivers than what was called Rappahanock and Potomack Rivers at the time of the Grant; and that was only as far as they are Navigable, for above that there was then no Inhabitant: or at most, whether the Grant shall extend any further than the River Rappahanock continues one entire Stream. For since the River is formed by the confluence of two lesser ones not discovered till long after the Proprietor's Charter, and those of such equal bigness as to render it doubtful which of them deserves the name of Rappahanock River; and since there cannot be two Rivers of the same name, and as neither of them is described in the Grant, with submission to your Lordships, it seems to me the most natural construction of that Charter, to fix its limits at the confluence of those two Rivers, where Rappahanock is first formed, and from thence runs in one continued Stream into the Bay of Chesapeak; And as Potomack River is the boundary between the Province of Maryland and the Northern Neck, and the first fountain of that River laid down in the Charter of the Former, and the first Head or Spring thereof as the Boundary of Both to the Westward; I must still presume to say, that wherever the Proprietors of Maryland and of the Northern Neck agree to fix the first Fountain or Spring of Potomack River, a line drawn thence to Rappahanock River must terminate the Northern Neck Patent; and then all the Lands lying westward of that remains still in the power of the Crown to grant. But if on the other hand all the Lands which ly on any of those Rivulets or Brooks which fall into Rappahanock or



Potomack Rivers be allowed to belong to the Proprietor of Northern Neck as his Agent pretends, the King will then have very little more Land to dispose of in Virginia. For your Lordships may please to observe by the enclosed Draught that one of the Branches of Potomack River which is now known by the name of the River Shenundo, runs through and paralel with the great ridge of Mountains, and is said to have its source near Roanoke River; So that almost the Tract which is now called Virginia is encompass'd and bounded by that River, and the Proprietor instead of being circumscribed by and within the Head of Rappahanock will extend his Bounds upwards of Sixty Miles to the Southward of it, which can never be imagined, I think, to have been the intention of the Crown, nor agreeable to the words of the Charter. Seeing therefore my Lords it is of importance to his Majesty with respect to his Revenue of Quit Rents, and of no small concern to the People of Virginia, who are very averse to the taking up of Lands under a Proprietor, I thought it my duty to let your Lordships thus far into the Merits of this Case by way of Advance, that if it be thought necessary I may receive your Lordships Opinion and Direction therein before the matter comes to be stated between Me and the Proprietor's Agent, which I apprehend will require some time to adjust, because I shall not easily agree to Facts of the truth whereof I am not perfectly convinced.

As the Journal of Council and Proclamation herewith sent mention the dreadful apprehensions this Colony again lay under from the Caterpillars; it is fit that I should now inform your Lordships, that by the peculiar favour of Heaven that danger is now over without any other consequence than the destruction of some Orchards and Timber.

I forgot in my last among the Allowances for the Gentlemen employed in running the Boundaries to mention that of a Chaplain whom I appointed to attend that Service, and who deserves his Majesty's consideration when the Payment of that Work shall be ordered. It was very necessary that a Clergyman should be sent out with such a number, when they

were to pass through a Country where they could not have the opportunity of attending the Public Worship; and the Report that Gentleman made to me sufficiently proves how well he answers my purpose in sending of him; for he Christened above an hundred Children, a great many adult Persons, and preached to Congregations who have never had publick Worship since their first Settlement in those Parts; such is the unhappy State of those poor Inhabitants who possess the borders of our neighbouring Province, in which, there is not one Minister.

I have herewith sent your Lordships a List of the Military Officers in this Province; and as soon as the severel Troops and Companies are adjusted, I shall transmit the List of their officers and number of Men.

As the state of the Tobacco Trade calls for a speedy Remedy, as well to prevent an apparent Loss to his Majesty's Revenue, as a great Blow to the Manufacturers of Great Brittain, if the Planters discouraged from making of Tobacco by the lowness of the Price, should be driven to the Necessity of laying that aside, and should provide themselves with their own Cloathing from the Materials this Country affords, since their Tobacco will no longer supply them; what immediately follows is part of a Letter I have sent by this conveyance to the Duke of Newcastle, in compliance with what I promised his Grace in a former Letter, of which I sent your Lordships a Copy.

"It is evident that the Duty have (sic.) and is a strong temptation to Many to contrive all possible ways of defrauding the Crown by running the Tobacco in Great Brittain: and the success they have had therein, has likewise given occasion to buying up all the mean and trash Tobacco, purchased here by Agents and Sailors who well know how to dispose of it without paying any Duty. And this sort of Traffique has encouraged the Planters to cure a great deal or all of their Trash, which otherwise must have been thrown away. Thus is the Market for the good Tobacco damp'd by the fraudulent im-

portation of the Bad, and the fair Trader and honest & industrious Planter greatly discouraged.

I have taken some pains to find out a Remedy for this great Evill, and to that purpose have consulted divers of the principal Inhabitants of this Province as well Merchants as others, and find it generally agreed that the only effectual means to prevent the Abuse which long since crept into this Trade, will be to bring all the Tobacco under a strict examination by sworn Officers, before it be allowed to be ship'd of for Great Brittain; that all that is found Bad be destroy'd and None exported but what is really good and Merchantable, and that an Acc<sup>t</sup> of the true weight of every Hogshead or Cask shall be transmitted to the Commissioners of his Majesty's Customs, by which the fraudulent Practice of breaking open of hogsheads and running of the Tobacco may be more easily detected and prevented. I now send to your Lordships also, the Heads of what I humbly propose for the improvement of the Tobacco trade, hoping that when your Lordships have consider'd them, they may be approved and immediately put in Practice, either by obtaining his Majesty's Letters Mandatory to the Governors of Virginia & Maryland to pass them into Laws, or, which would be much more efficacious, an Act of Parliament to put all the Tobacco made in the Plantations under the Regulation therein proposed; for it must be confess'd that though the judicious and honest part of the People here are well inclined to these measures, there are too many of a different Character, who are ready to oppose everything that is, not suited to their narrow Conceptions and private Views. If these proposals are thought by your Lordships to deserve encouragement, and to pass in the Parliament, there is one thing not mention'd that must be provided for, and that is, the Nomination of the Officers to inspect the Tobacco, who must be Men of Character & Understanding in that Commodity, which may be left, unless your Lordships shal order otherwise, to the Appointment of the Governours, who must also ascertain their Sallarys in proportion to their Trouble; for some Places where

Storehouses must be built, will have much more Tobacco brought to them than others.

What I have to add I hope will not be unacceptable, since 'tis to inform your Lordships that upon the Bruit of many wonderful Cures performed by a Negro Slave in the most inveterate Venereal Distempers, I thought it might be of use to mankind, if by any fair Method I could prevail upon him to discover to me the Means by which such Cures were effected, which the Negro had for many years practiced in this Country, but kept as a most profound Secrett; as the Fellow is very old, my endeavours were quicken'd lest the Secrett should dye with him: therefore I immediately sent for him, and by good words and a promise of setting him free, he has made an ample discovery of the whole, which is no other than a Decoction of the Root and Barks I have sent over to a Phisitian, that the Colledge may have the opportunity what effect it will have in England; and I flatter myself, by the Ingenuity of the Learned in that Profession, it may be reduced into a better draught than he makes of it, which they tell me is nauseous enough. the difference of Climate may probably cause a difference in its operation; but there is no room to doubt of its being a certain Remedy here, and of singular use among the Negroe's who are frequently tainted with that Disease, (for I made a tryal of the things by the hands of a Surgeon here, before I purchased his freedom, the whole charge of which costs the Government about £60 ster) and is well worth the Price that has been paid for it, since we know how to cure Slaves without the aid of Mercury, who were often ruined by the unskilfulness of the Practitioners this Country affords. At the worst my Lords I hope it will be deemed a laudable Attempt, and be an encouragement for one of Dr Ratcliffe's travelling Phisitians to take a tour into this part of the World, where there are many valuable discoveries to be made, not to be mett with in France or Italy.

It is so long since we received any Advices from England, and those of the latest date speaking with great uncertainty

as to Peace or War, I thought it absolutely necessary to lay an Embargo to the end of this moneth: this may possibly raise a Clamour, especially if things are quiett among those Merchants whose Ships were ready to sayle sooner; but I did it my Lords to give an oppertunity to the most valuable Ships to form a Fleet for their greater Security, and not doubting but by that time in case of a War, Convoys would be order'd for them. But his Majesty's Ship the Ludlow Castle is oppertunely arrived here, and intends to accompany them in their Passage Home. And it happened very luckily that this Embargo was laid in time, since we have been alarmed by a Spanish Privateer's being upon the Coast, by the Deposition sent me from Hampton as follows

The Deposition of John Pitts Master of the Sloop Dolphin of Bermuda, Who says that he sayled from Bermuda the 31<sup>st</sup> day of May last in the Sloop Dolphin burthen twenty five Tonns, no Guns & five Men, that on the eight of June following He saw in the Lat. of 37<sup>d</sup>:18<sup>m</sup> about 12 leagues East from Cape Charles a large Sloop which gave him Chase and fired two Guns at Him and pursued him till Night; that he believes him to be a Spanish Privateer and that he is now lying off the Cape, and further this Deponent saith not.

taken & sworn to before me  
this 9<sup>th</sup> day of June 1729

Signed John Pitt

Wilson Cary

Naval Off:

I have nothing more to trouble your Lordships with at present, but to repeat the Assurance with which I am

My Lords

Your Lordships Most faithful and most obedient

humble Servant

William Gooch.

Virginia

W<sup>m</sup>burgh June 29<sup>th</sup> 1729

My Lords

The Military List I could not get compleated for this Conveyance.

Rec<sup>d</sup> 28<sup>th</sup> August  
Read 2<sup>d</sup> Septem<sup>r</sup> 1729

R. 120

(Record Office, London. B. T. Virginia. Vol. 20. S. 32.  
Letter from Major Gooch. Feb. 8<sup>th</sup> 1732/3.)

I have the honour of Your Lordships of the 13<sup>th</sup> 7ber, with the papers your Lordships were pleased to send in Relation to the Pretensions of the several Proprietors of Pensilvania, Maryland and the Northern Neck, to the Lands lying Westward of the G<sup>t</sup> Mountains of Virginia

In my letter of the 29<sup>th</sup> of June 1729 I gave your Lordships a true state of the Dispute between the Crown and the L<sup>d</sup> Culpeper as to the Construction of his Grant: and I then humbly offered my opinion for determining that matter at Home, and I am still of opinion that the best and most effectual way to do it, must be either by a Tryal in Westminster Hall, or by the Arbitrament of Persons deputed, by the King and L<sup>d</sup> Fairfax, for that Purpose, since by viewing the Mapp I sent your Lordships and comparing it with the Grant of King James the 2<sup>d</sup> to L<sup>d</sup> Culpeper, and considering how far the Rivers Rappahannock and Potomack were then known. a true judgment may be formed what was the Intention of the Crown, and what ought to be the Boundaries conformable to that Intention and until such determination be made either by a legal Decision or Compromise. I am humbly of opinion

that appointing Commissioners here will prove a fruitless Labour and Expence.

It is to be noted My Lords that the Rivers Rappahannock and Potomack took their Names from the Indian Nations inhabiting their respective Banks, and that the Places where these Indian Towns stood, when Virginia was first seated, and continued while there were any Remains of those Nations, are below the Falls of both Rivers, and where they are Navigable. What denomination Rappahannock had above its Falls, or the several Rivers had which form it, doth not certainly appear, tho' 'tis more than probable the Indians had other names for them; for that part of Potomack River which has been lately discovered and settled above its Falls is known and called by the Indian Nations that have most commonly frequented it, by the name Cahongarooten, as all the other Rivers which fall into it are called by their several distinct names. So that if according to L<sup>d</sup> Culpepers Grant nothing Passes by the names Potomack or Rappahannock Rivers but as they were known and called at the time of its Date, my L<sup>d</sup> Fairfax can claim no farther Westward than the Falls of each River, or at the farthest where those Rivers begin to be one stream. But if His Majesty out of his more abundant Bounty, thinks fit to allow that Grant to extend up to the Head Spring of that River which forms the North Branch of the Rappahannock, then the Bounds must be runn from thence to the River Cahongarooten, where from the same Meridian the head Spring of Rappahannock lyes in, and consequently must be Bounded by the ridge of Mountains, as your Lordships will see by the Mapp; and then L<sup>d</sup> Fairfax will have an extent of Territory upwards of Two Hundred Miles in length, and in some places thirty Miles broad; and His Majesty be at liberty to Settle a Barrier between this Colony and the Lakes, upon which the security of this and the other Provinces greatly depend.

L<sup>d</sup> Fairfax's Agent here has laid down such strange Pretensions, as never, in my opinion, can be reconciled with the words of the Grant: They will have it that because the head Springs of both Rivers are mentioned in the Grant, His Lord-

shipp is not to be Bounded by the head of Rappahannock, but is to comprehend all the Rivers that fall into Potomack, wheresoever their Head-Springs or Sources take their Rise; and therefore because the River Shenanto or Sherando falls into Cahongarooten, they will have all the lands on that River as far South as the Borders of N<sup>o</sup> Carolina, and from thence all the Lands Westward and Northward to the Source of Cahongarooten to be within their Bounds, which would extend that Grant, confined plainly by the words of it between the two Rivers Rappahannock and Potomack, upwards of one hundred Miles beyound Rappahannock to the Southward, and above that distance to the West, and so to extend North behind Maryland, intersecting the Province of Pensilvania.

Your Lordships will hence Perceive how impracticable it is for Commissioners here to determine a Controversie so perplexed, and how unequal any Commissioners here are like to prove for such a Task, where the Foundation, the Letters Pattent of the Crown are deemed altogether uncertain; and neither the King was informed what he Granted, nor could the Pattentee know how to describe what he asked and would now extend his Claim beyond what ought to be allowed, or it can be supposed the Crown intended to bestow.

I have enlarged the more fully, My Lords, on the Claim of L<sup>d</sup> Fairfax, because until that is determined, there is no occasion for His Majesty to interest himself in the dispute concerning the Boundarys of Maryland or Pensilvania: for if the Northern Neck Grant is judged as extensive as the Proprietor's Agent would have it, I know no Lands His Majesty hath to dispose of beyound the great Ridge of Mountains. Shenando, as laid down in the Mapp, runs paralel with that Ridge from the extremity of our Southern Boundary. Cahongarooten is said to have its source beyound the fortieth Degree of North Latitude, and intersecting the Boundarys of Pensilvania runs on the West of Maryland, till it falls into Potomack River properly so called,—and the many Rivers which fall into Cahongarooten from the West, are said to interlock with the branches of the Messissippi So that the Lands in Virginia



which are in the Power of the Crown to Grant, are entirely cut off, and seperated from that which ly (sic) contiguous to the Lakes, by this extraordinary Claim under the Grant of the Northern Neck

But since my Lords I can never suppose that such a Construction of the Northern Neck Grant will be allowed, and that your Lordships may receive all the Information I can give, I shall go on and state the difference between Virginia and L<sup>d</sup> Baltimore; His Lordship's Province of Maryland is bounded on the South, from the Sea, to Watkins's Point (which is not laid down in the Mapp I sent, but your Lordships may judge it to be on the South side of that River I should have said the South side of the Mouth of that River which runs out of Cheseapeak Bay into the Eastern shore) and thence cross Cheseapeak Bay to the South side of Potomack River (which River is in his Lordship's Grant, tho' in His Majesty's Instructions 'tis called a pretended Right, and I am thereby directed to assert His Majesty's Right) and so that River continues the Limit between His Lordship and Virginia. On the North his Ldshipp is bounded by a West line (where they are to sett out is not yett, as I hear, agreed upon, 'tis conjectured about Delaware River or Sasafras River, but that is not material) which is to extend as far Westward as the true Meridian of the first fountain of Potomack; by which, my Lords it is evident that the first Fountain of Potomack was then supposed to be somewhere to the South of that line, otherwise it would have been more properly expressed, by extending that line Westward till it intersected Potomack River, and so have made that River the Western Limit, as well as it is the Southern of his Lordship's Grant. Hence I think it clear, my Lords, that neither in the Grant to Maryland, nor that to my L<sup>d</sup> Culpeper, Potomack River was ever imagined to extend so far as the River Cahongarooten doth and if L<sup>d</sup> insists on that as Potomack, and if it be true that its Source takes its Course from the North-east, as it is generally reported, then a line drawn from that Meridian to Potomack River, properly so called, will cut off a large Tract

now inhabited under Grant from L<sup>d</sup> Baltimore as part of his province: and some People here are so confident of this, that they have Petitioned me for Grants of large Tracts of Land there as belonging to Virginia, which Petitions are referred till the Boundaries be settled. Others argue that by the first Fountain of Potomack, his Lordships West line can extend no farther than till it falls on the first River on its Course, which emptys itself into Potomack, of which it seems there are many on that side of Cahongarooten, as well as on the other, and they pretend to know that River called Cahongarooten Conneichiga<sup>†</sup> [by another hand, F. P. transcriber.] is that which the line between Maryland and Pensilvania will first intersect, and have their eye upon Lands on the Westside of that River as undoubtedly in Virginia; in which case Lord Baltimore will lose less, and have his Limits sooner ascertained, than by tracing Cahongarooten to its Source, and then running a South line from thence according to his Charter

The Grant of Pensilvania is the only one whose Western limit is capable of being reduced to a certainty consistent with the Description mentioned in the Letters Patent: and if the Proprietors of that Province and L<sup>d</sup> Baltimore shall agree to run the line of Division between them, and to measure as far as that extends, the rest of the five Degrees of Longitude, which is the extent of Pensilvania, may with small Expence and no Dispute be measured and fixed so as no Controversy may arise hereafter.

Since therefore, My Lords, there appears such uncertainty in the Description of the Boundaries of these Proprietary Grants, made without due Information or Knowledge of what was intended to be Passed to the several Patentees; and since the Proprietors are neither like to agree amongst themselves where their Boundaries are, nor how they Interfere, nor seem to be contented with what may reasonably be supposed the Crown granted them; it is high time to take some speedy Measures to put an end to these Disputes, and the rather since there is now a View of having great numbers of foreign

---

<sup>†</sup> For the Alteration vide Major Gooch's letter to the Secr'y dated . . . July [in another hand].

Protestants to seat these Frontiers, and thereby prevent the French, an opportunity if lett slip, perhaps may never be retrieved.

But I cannot leave this Subject without representing to your Lordships that the erecting new Provinces and Governments will be attended with many Inconveniences: such as the weakness of an Infant Settlement to support itself; the difficulty of bringing Foreigners to the knowledge and under the Subjection of the English Laws, where they are left to themselves and not Incorporated with an English Government; the disputes that may arise concerning their Boundaries, if a Tract of Land should be Granted them, the true Limits whereof cannot be with certainty described, besides many others which 'tis needless to trouble Your Lordships with.

I should rather, if your Lordships will give me Leave, advise if they are to be Settled within the Limitts of Virginia, that His Majesty would leave it to the Government here to assign them lands proportionable to their Number, and to Grant them distinct Patents, with exemption for seven or tenn years from Payment of Quitrents, and such other ease in the manner of taking and cultivating as His Majesty shall think reasonable for their Encouragement; and care may be taken here that no more Land than is already entered for on the back of the Mountains will be granted to any other Person whatsoever till they have their full complement assigned them, all which I submitt to your Lordships better judgment.

My Lords, I have made all the Inquiry I can into the matter sett forth in M<sup>r</sup> Jones's letter, and can only find, and I am perswaded 'tis all that is in it, that one D<sup>r</sup> Watkins and some other necessitous People have imposed upon some Gentlemen of Estates, and drawn them into buying Shares of a Silver Mine they pretended, at first, they had found on the back of the Mountains, tho' they afterwards reported it near Sasquehannah River in the Province of Maryland, and having showed something which they affirmed to be silver oar, it proved to be only antimony, and the Gentlemen concerned are now convinced it is a Cheat put upon them for which they

paid in advance about £20 p man. However I shall have a watchful eye over them, and if I can discover any appearance of a Royal Mine shall give speedy notice of it to Your Lordships

I am, My Lords, Your Lordships  
most dutiful and most faithful humble Servant  
William Gooch.

Virginia

W<sup>m</sup>sburgh

February 8<sup>th</sup> 1732/3

This comes by a ship to Liverpool.

[Endorsed] Virginia.

L<sup>r</sup> from Maj<sup>e</sup> Gooch Lieutent Gov<sup>r</sup> of Virginia, dated y<sup>e</sup> 8<sup>th</sup> of Feb<sup>r</sup> 1732/3 giving a large State of the dispute about the Boundaries between that Government and y<sup>e</sup> Northern neck Maryland & Pennsylvania, occasioned by a Petition for a New Settlement on the back of the Great Mountains, and about a pretended Silver Mine found there.

Reced 25<sup>th</sup> May 1733

Read Septem 16 : 1734

S:32.

---

REPORT OF THE COMMISSIONERS TO SETTLE THE BOUNDARIES  
OF THE NORTHERN NECK.

(From a document in the Library of Congress)

[Incomplete]

We shall now take notice of the Principal Matters contained in their several Reports together with the Proofs and Grounds upon which they proceeded.

The Commissioners appointed by the Lieutenant Governor of Virginia in behalf of the Crown in their Report say,—

“That they took their Survey of the Main Branch of the

River Potowmack (called Cohongoronton) from its Confluence with *Sharando* and so upwards beyond the Blew Mountains to its first Spring Head, and of the River Rapahannock from its Fork, pursuing both North and South Branch to the Spring Heads likewise and found the North Branch to be wider at the mouth than the South by 3 Poles Nine Links. That they can find no evidence that the Fork of Rapahannock was known at the time of Lord Culpeper's Grant. That Lord Fairfax has produced no evidence to support his Pretension to the South Branch. But they, the said Commissioners, offer some in support of his Majesty's which are chiefly arguments, inferences, and deductions drawn partly from the sense of the Legislature in Virginia and partly from Grants of the Crown. They thus pursue their account of the river Potowmack and refer to the Deposition of Thomas Harrison<sup>3</sup> taken upon oath before them "That the Falls of Potomack were not known fifty years ago". They further say "That the Lands at or near the falls were not granted till 1709, and that it was not known that the River runs through the Mountains till several years after, That the River loses its name at the Confluence and is called by the Indians as it goes higher up *Cohongaronton* and *Sharando*, and conclude "That the Fork may not therefore be improperly called the Head", which opinion they endeavor to corroborate by saying "That as the Head of Potowmack stretches beyond the Blew Mountains and that of Rappahannock reaches no higher than those mountains they could not be intended as Boundaries by the Grant of King James since the one reaches Two Hundred Miles above the other".

They conclude their Report by Stating four several Boundaries for the Lord Fairfax's Grant and mention what quantity of land each of those Boundaries contains.

"The first from the Fork of Rappahannock to the Fork of Potomac containing 1,476,000 acres of Land.

---

<sup>3</sup> Thomas Harrison, whose deposition was taken in 1736, was born in 1665 and died in 1746. He lived at Chappawamsic, Stafford County, to which his father Burr Harrison had come in the Seventeenth century. For an account of the Harrison family see this Magazine XXIII and XXIV.

"The Second from the head of Hedgeman River to the Fork of Potomac containing 2,030,000 acres of Land.

"The Third from the Hedgeman River to the Head Spring of Cohongoronton containing 3,872,000 acres of Land.

"And the Fourth from the head of Conway River to the Head Spring of Cohongoronton including the Great and Little Fork of Rapahannock containing 5,282,000 acres of Land.

The Papers referred to in their Report are

1st, The Governor's Commission to them which was *to Examine, Settle and Determine*

2nd, Lord Fairfax's to them which is only to *Survey and Report*,

3d, Lord Fairfax's Commission to Mess<sup>rs</sup> Carter, Beverly and Fairfax, which was *to Survey and Report only*.

4th, Deposition taken upon oath of John Taliaferro<sup>4</sup>, Francis Thornton and William Russell, who severally declare there were no Inhabitants on either side of the river so high as the Falls even so late as the year 1707.

5th, A General Map of the Delineation of the Courses of the Rivers from the Parts where they began their survey up to their respective Spring Heads.

6th, A Copy of a Grant from the Lord Culpeper to Mr. Brent and others in 1686 of Land *to be laid out six miles distant at least from the Main Rivers of Rappahannock and Potowmack* which being laid down in their map as taking its Distance from the North Stream they quote it to shew that

---

<sup>4</sup> John Taliaferro, son of Robert Taliaferro, the emigrant, was a justice of Essex County, Sheriff, Lieutenant of Rangers against the Indians and, in 1699, member of the House of Burgesses. He married Sarah, daughter of Major Lawrence Smith, of Gloucester County, and had ten children.

Francis Thornton (born Jan. 4, 1682) settled at Snow Creek near the present Fredericksburg about 1702. He was a Burgess for Spotsylvania in 1723 and 1726, and was ancestor of the Thorntons, of "Fall Hill", Spotsylvania, and others.

In 1724, William Russell, of Drysdale parish, King and Queen County, bought 614 acres in Spotsylvania from Loyd and Chew, and, as of St. Georges parish, Spotsylvania, sold the same tract in 1725. On Dec. 1, 1730, he (William Russell, gent.,) bought the interest of George Hume in two land grants of 6,000 and 10,000 acres. In 1755 he lived in Culpeper County. He was the father of Brig. General William Russell, of the Revolution.

the Original Patentee always understood the North Branch to be the main branch.

7th, Governor Nott's Grant to Henry Beverly, Esqr. of 1920 acres in Essex County, ten Miles above the Falls of Rapahannock in November 1705.

8th, Two Grants from the Governor to Robert Carter, Esqr. for Land in the Fork of Rapahannock twelve Miles and more above the Falls in January 1717.

9th, Two Grants to Philip Ludwell, Esqr. from Lady Culpeper of 5860 acres above the falls in June 1709.

10th, Henry Willis's Patent for 3,000 acres of land in the Little Fork of Rapahannock from Governor Carter in February 1726.

11th, The Deposition of Thomas Harrison, who declares upon oath that the falls of Potomac were not known Fifty years ago, dated in June 1737.

12th, Letters Patent from King Charles the Second to the Earl of St. Albans and others.

13th, Letters Patent from King James the Second to Lord Culpeper.

The Commissioners for the Lord Fairfax in their Report give an account "That the Dispute between the Crown and the Lord Fairfax being which is the Main River of Rappahannock the North or the South Branch as appears by the order of the Governor and Council of Virginia in 1706 to which they refer, as also which is the first Head or Spring of Potowmack, they have Surveyed and Measured up the River Potowmack from the Mouth of Sherando and that of Rappahannock from the falls to their respective Heads or Springs, and are of opinion that a Line run from the *first Head or Spring* of the South or Main Branch of Rappahannock to the *first Head or Spring* of the River Potowmack is and ought to be the boundary line determining the said Tract or Territory of Land commonly called the Northern Neck, They refer themselves to the evidences produced by the King's Commissioners (quoted in the other report) that the two Branches of Rappahannock were always called the North and South

Rivers, not North and South Fork, and that the name of Rapidan was given to this latter by Col. Spotswood when Governor, as also to a Declaration of one Mr. John Taliaferro that the Heads or Springs of the said two Branches were known in 1682, and to their own Surveyor's Report in proof that the South Branch was the Widest. They say their own Surveyor made a mistake in going up Conway instead of Thornton river, which they have caused to be dotted in token of the Lord Fairfax's claiming it.

The papers referred to in the above Report are—

1st, The Order of the Governor and Council of Virginia in 1706 directing a survey to be made of the two branches of Rappahannock to see which is the Main Branch. This order is referred to by the Lord Fairfax's Commissioners to obviate the objections made of the Forks never having been claimed by the Proprietors or their agents.

2nd, The evidences produced by the King's Commiss<sup>rs</sup> of which We have already given your Lordships an account.

3rd, A Declaration of John Taliaferro. This Declaration is annexed to the above mentioned order of 1706 and is only a copy and not upon oath. It contains that *about Twenty-four years ago he in company with Colonel Cadwallader Jones had been at the Heads or Springs of the said two branches and that in his judgment and that of the company with him the South Branch was the biggest and headed in the Mountains.*

4th, The Surveyor's Report, which ascertains that the South Stream was twenty-one Miles longer than the other.